IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

APPEAL FROM ORDER No 13 of 2000

For Approval and Signature:

HON'BLE MR.JUSTICE K.S.JHAVERI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

HARISHCHANDRASINHJI BHARATSINHJI JADEJA

Versus

STATE OF GUJARAT

Appearance:

1. Appeal from Order No. 13 of 2000

MR SURESH M SHAH for Appellant No.

MR MEHUL S SHAH for Appellant No.

RULE SERVED for Respondent No. 1-3

CORAM : HON'BLE MR.JUSTICE K.S.JHAVERI

Date of decision: 12/01/2005

ORAL JUDGEMENT

1. The appellant original plaintiff has preferred this Appeal from Order against the order dated 05/11/1999 passed below application Exh.5 by the Joint Civil Judge (S.D.), Gondal in Special Civil Suit No.114 of 1998, whereby the said application was rejected.

2. While admitting this Appeal from Order, this Court in Civil Application No.193 of 2000 had directed the parties to maintain status quo with respect to the disputed land in question.

3. I have heard learned counsel for the parties and have perused the relevant documents on record. In view of the facts and circumstances of the case, I am of the opinion that ends of justice would be met if the appellant is directed to make an application for expediting the hearing of the said Suit since the suit is of the year 1998.

4. Therefore, without entering into the merits of the matter, the appellant is directed to make an application for expediting the hearing of Special Civil Suit No.114 of 1998 pending before the learned Joint Civil Judge (S.D.), Gondal. On receipt of the said application from the appellant, the trial Court shall hear and dispose of the same as expeditiously as possible.

5. With the above observations and directions, the Appeal from Order stands disposed of. Parties are directed to maintain status quo till the said suit is finally disposed of.

[K.S. JHAVERI, J.]

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